

*** CONFIDENTIAL ATTORNEYS EYES ONLY ***

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SURGICAL INSTRUMENT SERVICE)
COMPANY, INC.,) Case No.:
) 3:21-cv-03496-VC
Plaintiff,)
) Lead Case No.:
vs.) 3:21-cv-03825-VC
)
INTUITIVE SURGICAL, INC.,) Pages 1 to 65
)
Defendant)
_____)
IN RE: DA VINCI SURGICAL ROBOT)
ANTITRUST LITIGATION)
_____)
THIS DOCUMENT RELATES TO:)
ALL ACTIONS)
_____)

*** CONFIDENTIAL ATTORNEYS EYES ONLY ***

DEPOSITION OF:

KEITH ROBERT JOHNSON

IN HIS PERSONAL CAPACITY

THURSDAY, OCTOBER 27, 2022

1:27 p.m.

REPORTED BY:

Vickie Blair

CSR No. 8940, RPR-CRR

JOB NO. 5539883

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Deposition of KEITH ROBERT JOHNSON, the witness, taken
on behalf of the Defendant, on Thursday,
October 27, 2022, 1:27 p.m., before VICKIE BLAIR,
CSR No. 8940, RPR-CRR.

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1 your answers about that timeline be roughly the same? 14:52:00

2 MR. CHAPUT: Object to the form. 14:52:06

3 THE WITNESS: Yes, I'm -- I'm -- I'm a 14:52:09

4 sales guy, I'm looking for opportunities to sell. This 14:52:11

5 robotic program created an opportunity for SIS to 14:52:15

6 substantially increase the revenue of our organization, 14:52:18

7 a great opportunity, and that was what I -- I was -- I 14:52:20

8 was pumped about the opportunity. 14:52:24

9 BY MR. SNYDER: 14:52:25

10 Q Let's -- let's go -- let's go there next. 14:52:29

11 I just have a few questions. 14:52:33

12 This morning I believe you used the word 14:52:35

13 "monumental" in connection with the level of interest 14:52:41

14 in EndoWrist repair. 14:52:43

15 Is that a word that you used in that 14:52:44

16 context, Mr. Johnson? 14:52:46

17 A I believe I did, and I don't use that word 14:52:48

18 very often. 14:52:50

19 Q And are -- are there -- are there key -- 14:52:53

20 key moments or key events that you have in mind when 14:53:01

21 you refer to the monumental level of interest in 14:53:05

22 EndoWrist repair? 14:53:08

23 MR. CHAPUT: Object to the form. 14:53:11

24 THE WITNESS: Yeah, there's -- there's a 14:53:12

25 couple very distinct meetings that stick out in my 14:53:16

1 head, yes. 14:53:18

2 BY MR. SNYDER: 14:53:20

3 Q And what -- what are those -- those 14:53:20

4 meetings that stick out? 14:53:26

5 A One of the biggest ones was the meeting 14:53:27

6 that we had with Advocate Aurora in Wisconsin. I'll 14:53:35

7 just say this, in -- in -- in every meeting that I had, 14:53:46

8 and I'm not saying some of them, I'm saying all of 14:53:50

9 them, the -- the level of interest from the people that 14:53:52

10 I met with, which was always usually the C-suite, VP of 14:53:58

11 supply chain, VP of perioperative services, chief 14:54:02

12 robotic surgeon, one of those groups, every single one 14:54:07

13 of them was absolutely excited about this program. 14:54:10

14 Every one of them used the word 14:54:15

15 "hemorrhage;" almost all -- I won't say every one, a 14:54:17

16 majority of the people I meet with said "We hemorrhage 14:54:23

17 money to Intuitive Surgical. We are looking for ways 14:54:28

18 to reduce costs." 14:54:30

19 They love the robot. They do. They all 14:54:31

20 love it. They understand what it does. 14:54:34

21 It's -- it's the -- the lack of being able 14:54:36

22 to bring these other services that we were offering to 14:54:37

23 the table to help them reduce their costs, and that was 14:54:41

24 what they were excited about. 14:54:44

25 Q A couple other names that came up earlier 14:54:51

1 today I wanted to ask about. 14:54:54

2 You testified about Vizient. 14:54:56

3 Do you recall that? 14:54:57

4 A Uh-huh. 14:54:58

5 Q And what -- what is Vizient? 14:54:58

6 A So Vizient is the largest health care GPO 14:55:01

7 in the country. 14:55:09

8 Q What was Vizient's level of interest in 14:55:10

9 EndoWrist repair? 14:55:12

10 A I have met with the CEO of Vizient, the 14:55:18

11 chief customer officer of Vizient, in fact, the chief 14:55:21

12 customer officer of Vizient scheduled a meeting with 14:55:26

13 his six high level people that run the entire country 14:55:28

14 because that's how excited they were about this 14:55:32

15 program. 14:55:35

16 They don't -- Vizient doesn't get any 14:55:36

17 value from Intuitive Surgical, they don't get admin 14:55:38

18 fees from Intuitive Surgical, they don't get anything 14:55:43

19 from Intuitive Surgical. 14:55:47

20 So the fact that SIS had a program that 14:55:50

21 could reduce costs to health care, help the hospitals 14:55:52

22 reduce their cost for robotic surgery, and they could 14:55:55

23 bring value to their customers in the robotic space was 14:55:58

24 an absolute home run for them. 14:56:01

25 Q And could -- can you describe generally 14:56:05

1 how large Vizient is? I mean, you said they're the 14:56:11

2 largest, but what does that mean? 14:56:15

3 A Yeah, they represent, don't quote me 14:56:16

4 specifically, but they represent somewhere between 14:56:19

5 2,500 and 3,000 hospitals. 14:56:22

6 Q And what -- what's Vizient's geographic 14:56:24

7 scope? 14:56:29

8 A National, every state in the union. 14:56:29

9 Q Another -- another name that I believe 14:56:36

10 came up earlier today was Johns Hopkins. 14:56:37

11 Did you mention Johns Hopkins? 14:56:41

12 A Yes. 14:56:43

13 Q What do you recall about -- did you meet 14:56:43

14 with Johns Hopkins at any point? 14:56:45

15 A Yes. 14:56:48

16 Q What do you recall about that meeting? 14:56:48

17 A I could describe the gentleman to you 14:56:56

18 because I remember specifically what he looked like, I 14:56:57

19 believe he was the director of sourcing or the VP of 14:57:00

20 supply chain, and forgive me for not remembering his 14:57:04

21 title specifically, that meeting was teed up by the 14:57:08

22 Vizient director that -- the client executor that 14:57:13

23 managed that relationship with Johns Hopkins, and they 14:57:17

24 told them that they had a vendor that had a cost 14:57:19

25 savings program around robotic surgery. 14:57:21